

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
NORTHERN DIVISION**

FRANKLIN G. ENDICOTT,

Plaintiff,

v.

JAMES HURLEY, et al.,

Defendants,

No. 2:14CV107 DDN

**OPINION, MEMORANDUM AND ORDER**

This matter is before the Court on plaintiff's motion for relief from judgment and motion for extension of time to file an amended complaint. The motion for reconsideration lacks merit. However, the Court will allow plaintiff to file an amended complaint. Plaintiff is warned that the filing of an amended complaint replaces the original complaint, and claims that are not realleged are deemed abandoned. E.g., In re Wireless Telephone Federal Cost Recovery Fees Litigation, 396 F.3d 922, 928 (8th Cir. 2005). Plaintiff must file his amended complaint no later than February 27, 2015.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff's motions for extension of time [ECF No. 8, 10] are **GRANTED**.

**IT IS FURTHER ORDERED** that plaintiff's motion to amend judgment [ECF No. 9] is **DENIED**.

Dated this 22nd\_ day of January, 2015.



---

HENRY EDWARD AUTREY  
UNITED STATES DISTRICT JUDGE